

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:09CR426
	)	
v.	)	
	)	
TOBY MCCUNN,	)	FINAL ORDER OF
	)	FORFEITURE
Defendant.	)	
_____	)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. [51](#)). The Court has reviewed the record in this case and finds as follows:

1. On May 4, 2010, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846 and 853 based upon the defendant's plea of guilty to Counts I and III of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in \$2,700.00 in United States currency was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov) for at least thirty consecutive days, beginning on June 4, 2010, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on August 9, 2010 (Filing No. 50).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained.

Accordingly,

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the \$2,700.00 in United States currency held by any person or entity, is hereby forever barred and foreclosed.

C. The \$2,700.00 in United States currency be, and the same hereby are, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 12th day of August, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court